

CHAPTER NO. 334

HOUSE BILL NO. 1252

**By Representatives McMillan, Harry Brooks, Langster, Winningham, Windle,
Brenda Turner, Sherry Jones**

Substituted for: Senate Bill No. 731

By Senators Burchett, McLeary, Burks

AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 2, relative to the sale or lease of property controlled by the state division of mental retardation services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-2-117, is amended by adding the following new subsection:

(e)

(1) All property owned or held by the state developmental centers as defined in § 33-1-101(9) and controlled by the division of mental retardation services which is not in use may be sold or leased in accordance with the provisions of this part. The procedures for selling or leasing such property shall be those required by law and the state building commission for other state-owned real property.

(2) Notwithstanding the provisions of § 12-2-112(a)(7), the proceeds received from the sale or lease of such land shall be deposited in a special trust fund created by subdivision (e)(4).

(3) The interest and principal from such trust shall be used as provided in the General Appropriations Act for the specific purposes of planning and developing mental retardation programs for persons with mental retardation as defined in § 33-1-101(17), including, but not limited to, the transition of persons from an institutional setting into community services, start-up funding for individuals and agencies, and the purchase of homes.

(4) There is hereby created within the general fund a special trust fund earmarked for the sole purpose of providing funds to the division for the purposes set forth in subdivision (e)(3).

(5) The division shall not submit a budget that proposes to use funds derived from the sale or lease of property owned or held by the division to supplant its current level of appropriated funding.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 27, 2003



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 13th day of June 2003



PHIL BREDESEN, GOVERNOR